

201-16158



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December 29, 2005

CERTIFIED MAIL: 7002 0860 0004 4526 0985

Administrator
U.S. Environmental Protection Agency
P.O. box 1473
Merrifield, Virginia 22116

Attention: Chemical Right-to-Know Program

Re: HPV Challenge Program

Dear Administrator:

This is to acknowledge PMC Specialties Group, Inc. (PMCSG) receipt of your letter dated December 6, 2005 regarding the status of PMCSG's HPV Challenge Program commitment for the following chemical:

CAS No. 134-20-3 9th Collective Index Name

134-20-3 Benzoic Acid, 2-amino, methyl ester

Other Common Names: Methyl-2-Aminobenzoate
Methyl Anthranilate

In the past, PMCSG had presented its arguments and continues to do so regarding the inclusion of Methyl Anthranilate (MA, CAS 134-20-3) on the HPV chemicals list. There seems to be little reason for this chemical to remain on the HPV Challenge Program list. Its safety has been thoroughly evaluated and documented by at least two other US agencies. In addition to its use as a chemical intermediate for food additive products, MA is used in food as artificial grape flavoring. MA is included in the list of "Substances Generally Recognized as Safe" under 21 CFR 182.60 and 21 CFR 582.60. Certainly the Federal Government has reviewed the safety of this material for use in food.

MA is also the active ingredient in the pesticide product "RejexIt" which is a bird aversion product. Its toxicity, environmental fate and other required parameters have been thoroughly scrutinized for MA to be approved as a pesticide. The federal regulations for pesticide chemicals list MA as "Exemption from Tolerance" in food (40 CFR 180).

The HPV Challenge Program encourages U.S. companies to support the listed chemicals that they produce, but offers no protection against the use of the compiled and newly developed data under the program from foreign competition. PMCSG, along with various industry groups, has repeatedly raised this issue to the U.S. EPA for consideration and resolution in the past few years but no action was taken.



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PMCSG is the only domestic manufacturer of MA and faces direct competition in the manufacture of this material from foreign competitors. Without some proprietary protection for the development of the required data, PMCSG is placed at a competitive disadvantage despite its desire to support U.S. EPA's efforts. Moreover, current economic conditions within the company, primarily the competition from foreign producers of its products, especially MA, prevents PMCSG from being able to undertake the data gathering and data generation requirement of the HPV Challenge Program.

PMCSG though remains open to joining any international testing program. We feel that the international testing program levels the playing field for all international producers / importers and competitors to share in the cost of compiling existing data, developing the testing plan and conducting any additional tests as needed for MA. In the meantime, If you have any questions on this matter, please feel free to contact me by mail or by phone at (513) 242-3300.

Sincerely,

Sam Ghantous
Director of Operations
PMC Specialties Group, Inc.

cc: Michael Buchanan
PMC RAD
HPV File